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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/614,997	07/08/2003	Dennis Harold Burke JR.	TI34951	8166
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EXAMINER

CHUNG, PHUNG M

ART UNIT	PAPER NUMBER
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2138

DATE MAILED: 05/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/614,997	Applicant(s) BURKE ET AL.	
	Examiner Phung My Chung	Art Unit 2138	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fintel et al (6,920,585) in view of Sugamori (6,536,006).

As per claims 1 and 3-4, Fintel et al disclose an apparatus comprising:

At least one processor (250); and

At least one device tester unit (220) coupled to the processor, wherein the processor is configured to

Execute a first test ...;

Prepare execution of a second test...;

Process test data resulting from the first test; and

Executing the second test concurrently with the processing of the test data. (See col. 3, lines 5-31 and col. 5, lines 28-39). The apparatus of Fintel et al do not disclose for testing at least one mixed signal semiconductor device. However, Sugamori discloses an apparatus for testing at least one mixed signal semiconductor device (abstract and col. 7, lines 30-45). Therefore, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to incorporate the apparatus for testing at least one mixed signal semiconductor device as taught by Sugamori into the test apparatus of Fintel to test at least one mixed signal semiconductor device so that different types of test, such as analog circuit test and digital circuit test can be performed at the same time.

As per claim 2, Sugamori further discloses wherein the mixed signal semiconductor testing is performed by a single processor (67).

As per claim 5, Fintel et al and Sugamori do not disclose that wherein the first and second tests are configured for one or more of wafer testing and package testing of the mixed signal semiconductor device. However, it would have been obvious to a person of ordinary skill in the electronic art, at the time the invention was made, to set the first and second tests to configure for one or more of wafer testing and package testing of the mixed signal semiconductor device. This is because Sugamori discloses semiconductor test system for testing analog/digital mixed signal integrated circuit. (See col. 7, lines 30-55).

As per claim 6, Fintel et al further disclose wherein the first and second tests are configured in an interpreted software language (23-34).

As per claims 7-11, Fintel et al and Sugamori do not disclose wherein the interpreted software language is interactive test pascal. However, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to interpreted software language as interactive test pascal. This is because Fintel et al disclose test database (106) using software program for testing. (See col. 2, line 50 to col. 3, line40).

As per claims 12-24 and 25-34, these claims are rejected under similar rationale as set forth in claims 1-11.

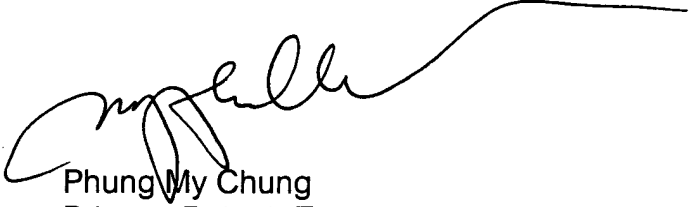
3. Applicant's arguments with respect to claims 1-34 have been considered but are moot in view of the new ground(s) of rejection.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phung My Chung whose telephone number is 571-272-3818. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on 571-272-3819. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2138

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Phung My Chung
Primary Patent Examiner
Art Unit 2138